# STATE OF INDIANA EMPLOYEE HANDBOOK

# A Publication of the State Personnel Department

The Employee Handbook is provided as a resource to help explain how the State's personnel policies, methods, and standards affect state employees. The Employee Handbook is not an employment agreement or contract, and the contents are subject to change.

This handbook is available upon request in Braille, large print and on audio tape. To make such requests, contact the State Personnel ADA Coordinator at 317/232-4555 (V/TTY).

# Refer to the State Personnel Department (SPD) web site for more detailed information and policy updates.

**State Personnel Department** 

Revised 2009

#### TABLE OF CONTENTS

# WELCOME FROM GOVERNOR Mitchell E. Daniels, Jr.

# **Introduction**

#### INDIANA STATE GOVERNMENT

State Seal

A Brief Indiana History

Indiana State Government - Organization Chart

Indiana State Government Agencies

# POLICIES AND PROCEDURES

Affirmative Action

Americans with Disabilities Act (ADA)

Anti-Discrimination/Harassment Policy

**Arrests & Convictions** 

Attendance and Punctuality

**Background Checks** 

Bulletin Boards

Classification

Complaint Procedures

Customer Service

Disciplinary Action

Drug and Alcohol Policy

**Equipment and Machines** 

**Emergency Conditions** 

**Employment Counseling** 

**Ethics** 

**Evacuation Procedures** 

**Ghost Employment** 

Information Resources

Job Bank

Job Duties and Responsibilities

No-Smoking Policy

Outside Employment

Performance Management

Personal Conduct

Personal Information Changes

Personnel Records

**Political Activity** 

Public Administration, Offenses Against

Public Records

References

Resignations

Safety and Accidents

State Travel

Telephone Directory

Telephone Use

**Training and Development** 

Weapons

Work Hours

Working Test and Permanent Status for Merit Employees

# **EMPLOYEE BENEFITS**

Credit Unions

Dental Insurance

**Direct Deposit** 

Disability, Short-and Long-Term

Employee Assistance Services for You (EASY)

Employee Newsletters

Employee Discount Program

Employee Suggestion Program

Escape Rates Program

Family-Medical Leave

Funeral Leave

Governor's Long-Term Employee Reception

Governor's Public Service Achievement Awards

Health Benefits

**Holidays** 

Hoosier S.T.A.R.T.: The Indiana Public Employees Deferred Compensation Plan and

Matching Plan

Jury Duty

Lactation Support

Leave Without Pay

Life Insurance

Military Leave

Military Family Leave

<u>Parking</u>

Preferred Parking Program

**Payroll** 

Payroll Warrant (Check) Stub Description

Personal Leave

Retirement Funds

Retirement Medical Benefits Account

Retiree Flexible Spending Program

Sick Leave

State Employee Community Campaign (SECC)

**Taxsaver** 

U.S. Savings Bonds

Vacation Leave

Vision Care

Work Life

Worker's Compensation

# APPENDIX

<u>Indiana Government Center Complex Map</u>
<u>US Department of Labor Notice of Employee Rights under the FMLA</u>
Acknowledgement form

#### Editorial Note:

Throughout this document the word state is routinely capitalized (State) when referring to Indiana State Government or the State of Indiana in its official capacity. However, traditional writing conventions were maintained with state employee and other similar general terms.

# WELCOME FROM GOVERNOR Mitchell E. Daniels, Jr.

Welcome to Indiana State Government! You are now part of an administration that is dedicated to effectively and efficiently serving the citizens of Indiana. Serving our citizens and taxpayers means being responsive to their needs and providing essential services as outlined in the Indiana Constitution and legislated by our General Assembly.

Responding to the needs of our fellow Hoosiers in the most prudent and proficient manner underscores one of our basic values within state government--economic efficiency. Our ability to successfully meet the day-to-day challenge of providing our citizens with cost-effective, quality service requires the collective effort of all state employees. Therefore, I ask for your commitment in achieving this goal.

You will find that the State of Indiana provides its employees with an excellent benefit package, and this Employee Handbook will acquaint you with these benefits.

You have joined an organization with a rich history of over 190 years that is now thriving and growing for the citizens which we all serve.

Indiana State Government's strength as a premier institution relies on the character of its dedicated workforce and the combination of self-improvement following the sound, solid, and tested best practices of our industry leaders.

I hope you will become immediately familiar with the F-I-R-S-T Principles which guide our daily work together.

- First Impressions Count
- It Starts With Me
- Recognize, Respect, Respond
- Succeed Through Service
- Take Time to Communicate

#### INTRODUCTION

This is your Indiana State Government Employee Handbook. It has been developed to serve as a quick and convenient source of information about many of the questions you may have as an employee of Indiana State Government.

This handbook was prepared to provide a general overview of State policies and work rules that will affect you. Statutes and local management policies governing individual agencies may supplement or differ from the contents of this handbook. Your supervisor or human resources representative can provide greater detail regarding the individual topics discussed in this handbook and any practices that are unique to your agency.

The information contained in the Indiana State Government Employee Handbook should provide you with a better understanding and appreciation of the benefits available to you and your family as a result of your employment with Indiana State Government.

THIS EMPLOYEE HANDBOOK IS NOT AN EMPLOYMENT AGREEMENT OR CONTRACT, AND THE CONTENTS ARE SUBJECT TO CHANGE.

#### SEAL OF THE STATE OF INDIANA



The State Seal - a Pioneer Scene - was given legal sanction by the 1963 General Assembly; however, controversy surrounds the seal's true symbolism: Is the sun "rising" over the mountains, or is it "setting" behind the hills? The 1816 date, bottom center of seal, marks the year of statehood.

Versions of the seal may be found on official papers dating back as far as 1801. Indiana's Constitution provides that "There shall be a Seal of State, kept by the Governor for official purposes, which shall be called the Seal of the State of Indiana."

# INDIANA STATE GOVERNMENT A Brief Indiana History



On December 11, 1816, President James Madison signed the resolution admitting Indiana to the United States of America. Indiana was the 19th state admitted to the Union, and December 11 was officially proclaimed as "Indiana Day" by the General Assembly in 1925.

The state's banner (flag) was adopted by the 1917 General Assembly as part of the commemoration of the state's 1916 Centennial celebration. The flag's design was submitted by Paul Hadley of Mooresville, Indiana.

The torch in the center of the flag symbolizes liberty and enlightenment, and the rays represent their far-reaching influence. A full description of the flag's symbolism as stated in the Indiana Code 1-2-2-1 reads, in part:

The field of the flag shall be blue with nineteen (19) stars and a flaming torch in gold or buff. Thirteen (13) stars shall be arranged in an outer circle, representing the original thirteen (13) states; five (5) stars shall be arranged in a half circle below the torch and inside the outer circle of stars, representing the states admitted prior to Indiana; and the

nineteenth star, appreciably larger than the others and representing Indiana shall be placed above the flame of the torch. The outer circle of stars shall be so arranged that one (1) star shall appear directly in the middle at the top of the circle, and the word 'Indiana' shall be placed in a half circle over and above the star representing Indiana and midway between it and the star in the center above it. Rays shall be shown radiating from the torch to the three (3) stars on each side of the star in the upper center of the circle.

The Indiana Territory entered into its first stages of government in 1800. Vincennes was the capital at that time, and William Henry Harrison, a native Hoosier, served as the first governor of the Indiana Territory from 1801 until 1812.

During the first stage of territorial government (1800-1805), Governor Harrison and three judges constituted the legislature that adopted the laws governing the Indiana Territory. The governor made nearly all appointments to local offices and to the militia; he was also in charge of Indian affairs. The judges served as the highest court of appeal within the territory.

From a nonrepresentative form of government, territorial Indiana advanced to the representative stage in 1804. In July 1805, the first General Assembly met at Vincennes. Vincennes remained the capital until 1813, when Corydon, because it was the center of population, became the new capital seat.

With Indiana's admission to the Union in 1816, legislators recognized that the town of Corydon was too far south for easy travel from the northern part of the state. (The central part of Indiana was occupied by the Delaware Indians.) In 1818, a treaty was signed securing title to central Indiana under what was termed the "New Purchase." Within three years the Delaware Indians moved farther west, and by 1821, a commission selected and recommended a new site for the capital and called it Indianapolis. Indianapolis became Indiana's capital seat in 1825, and a new state capital building was completed in 1835.

"The Crossroads of America" became the official motto for Indiana by a 1937 General Assembly resolution. Today, this expression remains appropriate since many roads to and from various parts of America intersect within Indiana's boundaries.

Indiana's present Constitution is its second--the first one was adopted prior to Indiana's admittance to the Union in 1816. Our current Constitution was adopted November 1, 1851. It is the seventh oldest among the 50 states and the fourth shortest.

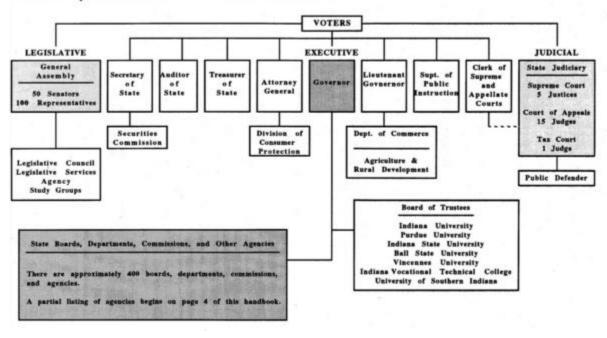
Indiana is the nation's 14th largest state with a population of 6,080,485 as of the 2000 census, and Indianapolis is the nation's 13th largest city.

A wealth of additional information about Indiana history is available from our Indiana State Library, located at 140 N. Senate Avenue, Indianapolis. There you will find many interesting books and booklets published by the Indiana Historical Bureau as well as the Indiana Historical Society and others that segment Indiana's history chronologically or topically.

#### ORGANIZATION CHART

#### INDIANA STATE GOVERNMENT

Indiana's form of government closely models that of the Federal government with three branches: executive, legislative, and judicial. The governor, who is elected for a 4-year term, heads the executive branch. The legislative branch, formally known as the Indiana General Assembly, consists of the Senate and the House of Representatives. The Indiana Supreme Court, the Court of Appeals, and the local circuit courts make up the judicial branch of government. The organizational chart below represents the structure of Indiana State Government.



#### INDIANA STATE GOVERNMENT AGENCIES

The following is a partial listing of the agencies that make up Indiana State Government and a brief description of the agency's area of responsibility. The agencies listed are those under the executive authority of the Governor. For a more comprehensive summary of the agency's function, contact the agency directly.

<u>Accounts, State Board of</u> - prescribes systems of accounting and reporting by public officers within Indiana.

<u>Administration</u>, <u>Department of</u> - oversees the construction, maintenance, and operation of state facilities; purchases supplies, equipment, and services used by state agencies.

<u>Alcohol and Tobacco Commission</u> - administers and enforces, with the assistance of local authorities, the laws governing the manufacture, distribution, and dispensing of alcoholic beverages.

<u>Animal Health, Indiana State Board of</u> - licenses livestock dealers and regulates the importation of livestock and poultry to prevent the introduction of diseased animals.

<u>Arts Commission, Indiana</u> - encourages study and presentation of the performing and fine arts.

<u>Budget Agency</u> - prepares the state's biennial budget and administers the budget after legislative approval.

<u>Child Services, Department of</u> - responsible for programs concerning child safety, welfare and support.

<u>Civil Rights Commission</u> - administers state laws designed to prevent discrimination in employment, education, housing, credit, and access to public accommodations.

**Commerce, Department of -** promotes economic growth for the state.

<u>Correction</u>, <u>Department of</u> - operates the state's correctional facilities and minimum-security programs.

<u>Criminal Justice Institute</u> - conducts research and evaluates state and local programs associated with law enforcement; the administration of criminal and juvenile justice; and the prevention, detection, and solution of criminal offenses.

**Education Employment Relations Board, Indiana** - administers the law recognizing the right of teachers to organize and bargain collectively.

**Environmental Management, Department of** - enforces state and federal government laws that protect the environment making Indiana a cleaner and healthier place in which to live.

**Ethics Commission, State** - regulates a code of ethics for the conduct of state business.

Family and Social Services Administration - has three (3) divisions:

- 1. Family Resources- manages public assistance programs serving children and families.
- 2. Disability, Aging & Rehabilitative Services manages services for the aging, vocational rehabilitation, and the developmentally disabled.
- 3. Mental Health and Addiction administers care for persons who are mentally ill or addicted to alcohol or other drugs.

<u>Financial Institutions</u>, <u>Department of</u> - administers laws that regulate the operations of Indiana-chartered banks and other types of financial institutions.

Gaming Commission, Indiana - regulatory agency that oversees riverboat gambling activities.

<u>Governor's Planning Council for People with Disabilities</u> - develops and funds a comprehensive state plan for providing services to developmentally disabled persons in Indiana.

<u>Health</u>, <u>Indiana State Department of</u> - administers the general health laws of the state and many health activities at the local level.

<u>Historical Bureau</u> - issues and distributes historical publications relating to Indiana.

<u>Homeland Security, Department of</u> - prepares for and responds to emergencies/disasters that result from nature, technology, or man-made events. Also offers comprehensive training programs in the areas of firefighting, emergency management, environmental management, fire and building inspections, emergency medical services and search and rescue.

<u>Horse Racing Commission, Indiana</u> - regulates pari-mutuel wagering on horse racing in Indiana.

<u>Indiana Office of Technology (IOT)</u> - enhances the operation of state government through progressive leadership in providing quality, innovative, cost-effective, and timely information technology (IT) services.

<u>Insurance</u>, <u>Department of</u> - enforces statutes and regulations applicable to the operation of insurance companies and issuance of insurance policies.

<u>Labor</u>, <u>Department of</u> - seeks to promote the welfare of the Indiana workforce by administering a variety of educational and compliance programs designed to provide the knowledge and tools necessary to guarantee workers rights to safe, healthful, positive work environments, and the appropriate compensation for that work.

<u>Law Enforcement Training Board</u> - regulates and administers basic and specialized law enforcement training courses.

<u>Library, Indiana State</u> - provides library service to state government; provides Indiana citizens with specialized library services not generally economically feasible for other libraries of the state.

**Local Government Finance, Department of** - supervises the Indiana property tax system.

<u>Motor Vehicles, Bureau of</u> - administers the state's registering and titling of motor vehicles and the licensing of motor vehicle operators.

<u>Natural Resources</u>, <u>Department of</u> - oversees the conservation of the state's natural and cultural resources.

<u>Personnel Department, State</u> - administers personnel policies, procedures, programs and benefits for all state employees and governing agencies under the executive branch of government, with the exception of elected officials, universities, and state police.

<u>Police Department, Indiana State</u> - enforces all criminal and traffic laws, and performs other general police functions in Indiana.

<u>Professional Licensing Agency</u> - administers the examinations and licensing of practitioners in various professions and crafts and administers laws regulating 19 groups of health professionals.

<u>Proprietary Education, Commission on</u> - evaluates and accredits all private vocational, technical, trade, and correspondence schools doing business in Indiana.

<u>Protection and Advocacy Services Commission, Indiana</u> - protects and promotes the rights of individuals with disabilities through empowerment and advocacy.

<u>Public Employees' Retirement Fund of Indiana</u> - administers the generally applicable retirement plan covering state and local government employees.

<u>Public Records, Commission on</u> - manages state forms, a statewide records management program, archival program, records preservations, and related functions.

**Revenue, Indiana Department of** - collects most state and local taxes.

<u>Student Assistance Commission of Indiana, State</u> - operates a major grant program and administers scholarship programs that enable eligible persons to attend Indiana public and private postsecondary institutions.

Tax Review, Indiana Board of - reviews local government budgets.

<u>Teachers' Retirement Fund, Indiana State</u> - manages the retirement fund for public school teachers.

<u>Transportation, Indiana Department of</u> - establishes and maintains a safe, reliable highway system for efficiently moving people and goods within Indiana.

<u>Utility Consumer Counselor</u> - represents the state's utility consumers in rate cases before the Utility Regulatory Commission, other federal offices, courts, and legislative bodies affecting utilities operating in Indiana.

<u>Utility Regulatory Commission, Indiana</u> - regulates the rates charged and services provided by public utilities in Indiana.

<u>Veterans' Affairs, Indiana Department of</u> - provides information and services to the state's veterans and their dependents with the cooperation of the major service organizations.

<u>War Memorials Commission, Indiana</u> - handles the preservation and management of various state war memorials and battle flags.

Workers' Compensation Board of Indiana - administers the laws concerning worker compensation and occupational diseases for all Indiana employers.

<u>Workforce Development, Department of</u> - administers the State's unemployment compensation, job training, placement, and employment related programs.

\* A complete list of state agencies can be found at: http://www.in.gov/agencylist.htm

#### POLICIES AND PROCEDURES

Refer to the State Personnel Department (SPD) web site for more detailed information, Merit Rules, Non-merit Rules, the State Personnel Act, and policy updates.

**State Personnel Department** 

# AFFIRMATIVE ACTION

Indiana State Government's Affirmative Action Goals are to ensure:

- \* Our workforce reflects the demographics of the state.
- \* Discrimination does not exist in the work environment.

The State is committed to an affirmative action program that ensures the elimination of underutilization of qualified members of affected classes and the elimination of discrimination on the basis of race or color, religion, national origin or ancestry, age, sex, and disability.

Each state agency annually establishes an Affirmative Action Plan (AAP) or policy statement and Organizational Profile. The AAP documents the agency's efforts to hire, promote, and maintain a diverse workforce in accordance with the <u>Governor's Affirmative Action Policy Statement</u>. All employees are expected to comply with this policy on equal employment opportunities. Managers and supervisors who are responsible for meeting business objectives are expected to cooperate fully in meeting

our equal employment opportunity objectives and their overall performance will be evaluated accordingly.

# AMERICANS WITH DISABILITIES ACT (ADA)

Indiana State Government's ADA goals are to ensure:

- \* Applicants and employees are not discriminated against because of a disability.
- \* All programs, activities, and services are accessible to and usable by persons with disabilities.

The State is committed to complying with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973 and will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability.

The State will engage in an interactive process to identify reasonable accommodations wherever necessary for all employees or applicants with a known disability, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense. Questions regarding reasonable accommodations and/or discrimination on the basis of disability should be directed to your agency's ADA Coordinator or Human Resources Director. You may also contact the Employee Relations Division within the State Personnel Department at (317) 232-4555 V/TTY.

## ANTI-DISCRIMINATION/HARASSMENT POLICY

You have the right to work in a professional atmosphere which promotes equal opportunities and prohibits harassment and/or discriminatory practices because of race, sex, religion, age, national origin, sexual orientation or gender identity, or disability. Harassment or discrimination, whether verbal, physical, or environmental, is unacceptable and will not be tolerated in state government. The State will not tolerate, condone, or allow harassment or discrimination, whether engaged in by fellow employees, supervisors, officers, or outside clients and other non-employees who conduct business with Indiana State Government.

Any person who is aware of or has encountered behavior perceived as harassing and/or discriminatory is encouraged to report such concerns as soon as possible regardless who the offender may be. Reports can be made to supervisors, managers, Human Resources Director, Agency Head, agency Affirmative Action Coordinator, the Employee Relations Division of the State Personnel Department, the Indiana Civil Rights Commission, or the federal Equal Employment Opportunity Commission. The State will thoroughly investigate and promptly resolve all such complaints in strict compliance with applicable laws. Any employee violating this policy or retaliating in any way against complainants

or witnesses under the policy will be subject to discipline, up to and including dismissal from employment.

# **ARRESTS & CONVICTIONS**

Employees are required to report to their supervisor the following information within five (5) calendar days:

- disposition of criminal charges against the employee
- citation for an infraction occurring while the employee is on duty
- citation for an infraction occurring off duty that impacts the employee's ability to perform assigned duties (e.g., loss/suspension of driving privileges)
- arrest for any misdemeanor or felony

Accrued, paid leave may not be used for any time during which an employee is incarcerated.

# ATTENDANCE AND PUNCTUALITY

You are hired to perform an important function in State government. As with any group effort, it takes cooperation and commitment from everyone to operate effectively; therefore, your attendance and punctuality are very important. Absences cause a slow down in the work and added burdens for your fellow employees. Whether your "customer" is a member of the public or another state employee, it is important that you are available when needed. Good attendance is something that is expected from all employees. Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work for their entire work schedule. Absenteeism and tardiness unfavorably impact your productivity level, your agency's productivity level, and the overall quality of customer service provided by the State of Indiana and will not be tolerated. Tardiness and unauthorized absences will be cause for disciplinary action up to and including dismissal from employment.

Many agencies have developed attendance policies that are based on the agency's needs. These attendance policies provide a framework for effectively measuring and controlling absenteeism and tardiness. As a responsible employee, you should become familiar with your agency's attendance policy, guidelines, expectations, and consequences.

Understanding the State's leave policies and procedures will provide you with an effective tool for managing your attendance. Any questions regarding attendance should be directed to your supervisor or human resources representative.

## **BACKGROUND CHECKS**

A general background investigation is conducted on all persons considered for employment and on the statements submitted by the applicant on the application form or resume. The following items may be included in the background check:

- criminal history county, state, and/or federal,
- prior employment verification,
- credit history,
- education verification,
- professional license verification,
- vehicle operation records,
- sex and violent offender registry.

#### **BULLETIN BOARDS**

Bulletin boards are centers of information located within your agency. Aside from the information that is posted as required by law, the bulletin board may also announce events and activities going on within your agency as well as elsewhere within state government. Ask your supervisor about any posting restrictions that may apply.

Get into the habit of checking the bulletin board in your area on a regular basis--and stay informed!

# **CLASSIFICATION**

Within the State's personnel system, all positions (rather than employees and their capabilities) are classified on the basis of assigned duties and responsibilities. The State of Indiana utilizes a job classification system known as the Factor Ranking Job Evaluation Plan. Depending on the requirements of a position, it is assigned to one of the following job categories:

- Clerical/Office Machine Operator/Technician (COMOT)
- Professional/Administrative/Technological (PAT)
- Labor/Trades/Crafts (LTC)
- Protective Occupations/Law Enforcement (POLE)
- Executive/Scientific/Medical (ESM)
- Supervisory/Managerial (SAM)

Job categories are groupings of jobs which are similar enough to allow them common treatment under a job classification system. All jobs in a given category are measured by a common set of factors. The above categories are further subdivided into job families and job classifications / skill levels (or pay grades). Your classification has a salary range minimum and maximum. Learning about job classifications will enable you to better understand promotional opportunities.

Determinations of appropriate classification and salary require the approval of the State Personnel Department and the State Budget Agency. Exceptions to the State salary policies cannot be made final without approval of these agencies.

The current salary schedule, salary policies and additional information regarding job categories can be found on the State Personnel Department website at <a href="http://www.in.gov/spd/2386.htm">http://www.in.gov/spd/2386.htm</a>.

If you are not aware of your exact job classification, please see your supervisor or your agency's human resources representative.

# **COMPLAINT PROCEDURES**

As a State employee, you may be eligible to file a complaint under one of the procedures available to employees. A merit employee with permanent status is eligible to use the statewide merit employee complaint procedure. For an employee of a non-merit agency, an internal agency complaint procedure may exist or an employee may utilize the State Employees' Appeals Commission, as detailed in <a href="Executive Order 05-14">Executive Order 05-14</a>. More information on your eligibility to use any of the complaint procedures may be obtained from your supervisor or your agency human resources staff.

You may also visit the State Personnel Department's website at: http://www.in.gov/spd

# **CUSTOMER SERVICE**

Our customers are the citizens of the State of Indiana, your fellow co-workers throughout the various agencies, and all others who do business with or for Indiana State Government. As customers, they expect and deserve the highest possible quality in the service received from each state employee.

As a state employee, providing quality customer service must be one of your top priorities and is one of the performance standards on which every state employee's performance is evaluated. Your ability to willingly provide prompt, courteous, and quality service will ensure that you meet the customer's expectations and our obligations. Therefore, strive for excellence in the daily performance of your responsibilities. The satisfaction gained will be both yours and the customer's.

#### **DISCIPLINARY ACTION**

If problems develop with your behavior, disciplinary action may become necessary. Types of discipline imposed include reprimand, suspension, demotion, and dismissal. The discipline imposed may vary based upon the nature of the offense, your work record, and any mitigating or aggravating circumstances.

For more specific information about the disciplinary action process, contact your supervisor and review the State's Discipline Policy at <a href="https://www.in.gov/spd/2396.htm">www.in.gov/spd/2396.htm</a>.

# DRUG AND ALCOHOL POLICY

Executive Order No. 90-5 prohibits all state employees from operating state-owned vehicles with any measurable amount of alcohol or illegal drug in their blood. Additionally, Indiana adopted the Federal Drug-Free Workplace Requirements contained in the Drug Free Workplace Act of 1988. Therefore, as a condition of continued employment, each state employee must:

- 1. abide with the State's policy that the "unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace"; and
- 2. notify his/her employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

All State employees are subject to drug and alcohol testing based upon reasonable suspicion. All State employees assigned to Testing Designated Positions (TDPs) and/or required to have a Commercial Drivers License (CDL) to perform their assigned job duties will be subject to pre-employment, post-accident, random, follow-up and for-cause drug and alcohol testing. If you have any questions please contact your supervisor and review the State's Drug & Alcohol Testing Policy at <a href="http://www.in.gov/spd/2396.htm">http://www.in.gov/spd/2396.htm</a>.

# **EQUIPMENT and MACHINES**

The equipment and machines that you use on the job are there to assist you in accomplishing your job duties. Use of all state-owned property is restricted to official state business. Make every effort to keep the equipment clean and in good working condition. If your equipment fails to function properly, contact your supervisor or the individual designated by your agency to handle any problems.

# **EMERGENCY CONDITIONS**

The State Personnel Director may authorize the closing of a state facility or the curtailing of operations due to emergency conditions. Weather conditions affecting only the ability to commute will not be considered emergency conditions necessitating the closing of a state worksite or paid leave.

When a state facility is closed or operations are curtailed due to emergency conditions, employees whose work site is affected by the declaration of the emergency and who are not required to work shall be given leave with pay. Employees required to work during the emergency shall be granted compensatory time on an hour for hour basis in addition to payment of wages.

If conditions of a serious nature exist, but are not sufficient to close facilities or curtail operations, the appointing authority may authorize leave without pay for affected employees. Employees may elect to use vacation leave, personal leave or compensatory time off to cover their absence.

The Emergency Conditions provisions shall not apply to employees on sick leave or any other prior-approved leave or to any other employees who are engaged in emergency response activities, such as, but not limited to, snow removal, radio operations or emergency management.

# EMPLOYMENT COUNSELING

The State Personnel Department offers employment counseling on an appointment basis for current state employees who are in positions being affected by governmental reorganization, lay-off or who qualify for priority consideration. During this counseling session, the counselor will review your online state application and discuss your work experience, educational background, special interests, salary requirements, and availability.

In addition, the counselor will offer advice to the applicants on the state application process, how the State evaluates work, educational experience, and proper application and interview techniques.

# **ETHICS**

Public office is a public trust. Government is based upon the consent of the governed. Therefore, employees of state government must conduct themselves in such a manner that the general public will have confidence that the conduct of state business is always for the public good.

- 1. Employees are to be impartial in the discharge of their duties.
- 2. Decisions and policies must not be made outside the proper channels of state government.
- 3. Public office is not to be used for private gain.
- 4. Employees may not solicit or accept outside payments for the performance of state duties.
- 5. Employees may not benefit financially from information of a confidential nature gained through state employment.
- 6. Employees may not participate in decisions or votes of any kind in which the employees, their spouses, or dependent children have a financial interest.
- 7. An employee may not accept a gift, favor, service, entertainment, food or drink which could influence the employee's action.
- 8. Payment for an appearance, a speech, or article may not be accepted if the appearance, speech, or article could be considered part of the employee's official duties.
- 9. An employee may not accept payment of expenses for travel, conventions, conferences, or similar activities which could influence the employee's action.
- 10. An employee may not solicit political contributions from persons or entities that have a business relationship with the employee's agency.
- 11. Supervisors may not solicit political contributions from employees they supervise.

- 12. Employees may not have outside employment incompatible with their state employment or against their agency's rules.
- 13. Employees may not make unapproved use of state property, personnel, or facilities.
- 14. Employees may not use state time for other than state duties.
- 15. For a period of one year after leaving state government, former employees may not financially benefit from a contract they negotiated, prepared, or approved.
- 16. Former employees may not assist a person regarding a particular matter in which they participated as part of their state duties for one year after they had that responsibility.

The above statements are minimum standards. The official ethics laws and rules are found in IC 4-2-7 and 42 IAC 1. For current ethics laws and rules or for answers to questions, contact the State Ethics Commission at (317)232-3850 or <a href="www.in.gov/ethics">www.in.gov/ethics</a>. To report a violation of the ethics code, contact the Office of the Inspector General by submitting an investigation report at <a href="http://www.in.gov/ig/hotline.html">http://www.in.gov/ig/hotline.html</a>.

#### **EVACUATION PROCEDURES**

In the event of a fire or other emergencies, employees are to follow specific evacuation procedures. The procedures that exist for your office should be prominently posted. Familiarize yourself with the evacuation plan for your area. See your supervisor or Agency Safety Coordinator if you have questions regarding the procedures or if you feel you need special assistance.

# **GHOST EMPLOYMENT**

Ghost employment is a Class D felony that occurs when a state employee hires or assigns another state employee duties not related to the operation of state government and/or when a state employee receives payment for performing duties not related to the operation of state government. See also Public Administration, Offenses Against in this handbook.

## INFORMATION RESOURCES

Information Resources are provided by the State to support the business of state government. The term "Information Resources" includes all state hardware, software, data, information, network, personal computing devices, phones, and other information technology. All employees with access to information resources must complete online training, sign an Information Resources User Agreement (IRUA) and abide by the requirements set forth by the <a href="Indiana Office of Technology">Indiana Office of Technology</a>. In addition, the general guidelines below apply to all employees:

# **Blogging**

A blog (short for web log) is a web page that serves as a publicly accessible personal journal for an individual which is intended to be accessed, and in some cases responded to, by others. Blogs are typically updated daily and tend to reflect the personality and viewpoints of the author. For purposes of this policy, a blog includes all web postings, including those in chat rooms, on bulletin boards, and on sites such as Facebook.com.

State equipment, including computers and electronic systems, are provided to support the business of state government and are limited to business use only. Accordingly, state employees are prohibited from engaging in personal blogging using state equipment or resources or during working time.

Employees must distinguish between matters of public concern versus matters of private concern. First Amendment rights apply to matters of public concern but not to matters of private concern. Employees must make clear that their blogs represent their own views and opinions, not those of State officials or agencies. Only individuals officially designated by the State or an agency have the right and authority to speak on behalf of the State or agency.

#### **Cell Phones**

To minimize the risks inherent in using cell phones while operating motor vehicles for state business, such use should be restricted and appropriate precautions taken by any state employee operating a motor vehicle for State business.

Agencies may establish policies restricting the possession and/or use of cell phones in the workplace.

# **Text Messaging**

For purposes of this policy, the term text messaging includes all electronic messages, including graphics, whether sent by email, instant messaging, cell phone texting, or other similar technology.

The State recognizes the benefits of text messaging for convenient and expedient real-time business communications. These modes of communication have the potential to be abused, however, resulting in such problems as lost productivity, harassment, security concerns, and even possible legal liability for the State and the users.

Employees are required to use good judgment and common sense in their use of text messaging. Employees are strictly prohibited from transmitting messages with obscene, profane, lewd, derogatory or potentially harassing/discriminatory content or messages the employee knows or has reason to believe may be false or misleading.

Any text messages sent using the State's computer system or other state-issued electronic devices should not be considered private. The State reserves the right to monitor all such messages. Employees should be aware that these messages are under certain circumstances subject to disclosure to outside third parties, including the court system and law enforcement agencies. Employees should report any known or suspected

violations of this policy to management for investigation. Violations will result in discipline up to and including dismissal from employment.

# **JOB BANK**

The Job Bank is a complete listing of job opportunities within agencies under the Governor's authority. eRecruit is a one stop recruitment tool for finding and applying for state jobs. eRecruit is utilized as the first stop for job seekers, to improve the quality level of new hires, and to decrease the amount of time it takes to source candidates. The PeopleSoft® Recruiting solution includes an enhanced applicant experience where candidates can view job postings and apply for state vacancies electronically from any computer with internet capabilities 24/7 at <a href="http://www.in.gov/spd/2333.htm">http://www.in.gov/spd/2333.htm</a>. Computers are located at the Customer Service Center, Room W160A of the Indiana Government Center – South, and all WorkOne Offices.

Our online process allows applicants to manage job searches, move jobs to the job basket for centralized tracking of job postings and email jobs to others. Vacancies are posted daily. Current state employees can access the job bank through PeopleSoft® utilizing their PeopleSoft® login identification number. If you do not know your PeopleSoft® ID#, a member of your human resources team can assist you.

# JOB DUTIES AND RESPONSIBILITIES

Your supervisor will explain your job responsibilities and the performance standards expected of you. You will also generally receive a job description setting forth the essential functions of your position. Please be aware that your job responsibilities, however, may change at any time during your employment and you may be asked from time to time to work on special projects or to assist with other work necessary or important to the operation of your agency or the State. Your cooperation and assistance in performing such additional work is expected. The State reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities in accordance with statutes, rules and policies regarding compensation and classification.

## NO-SMOKING POLICY

The State's "No-Smoking" policy permits smoking only in designated areas. If you smoke, ask your supervisor about the smoking policy for your work area. Make sure you advise any visitors of the smoking policy as well.

# **OUTSIDE EMPLOYMENT**

While outside employment is not generally prohibited, such employment must not present a conflict of interest with your state employment, impede or otherwise affect your ability to properly perform your job duties, or interfere with your availability to work overtime or additional hours as needed. Further, employees must comply with the rules

of the Ethics Commission concerning potential conflicts of interest. Use of state equipment, materials, premises, or time in connection with outside employment is prohibited. Outside employment will not be considered a valid reason for absenteeism, tardiness, or poor job performance.

# PERFORMANCE MANAGEMENT

Managing and appraising your job performance is a continuing responsibility for your supervisor. The purpose of a performance appraisal is to let you know how you are performing in a given period of time. In addition, the performance appraisal guides you in developing your individual skills to the highest possible level. Managers and supervisors must translate the agency's strategic plan into individual employee goals that are specific, measurable, achievable, relevant and timely. Employees are responsible for participating in all phases of the performance management process which include understanding their performance expectations, how the performance expectations will be measured, and how the performance expectations relate to the agency's strategic objectives.

During an appraisal session, you have the opportunity to discuss with your supervisor the strengths and weaknesses in your work performance, training needs, other work-related issues/problems, and your employment ambitions.

New employees typically will receive a performance appraisal during the first six (6) months of employment. In addition, an appraisal should be given annually to all employees by their immediate supervisor/manager and at any time an employee leaves one supervisor for another or when necessary to address performance issues or operational needs.

#### PERSONAL CONDUCT

The State respects the privacy interests of its employees and recognizes their right to conduct their personal lives free from interference from the State. Nonetheless, employees should keep in mind that, even while off duty, they represent the State to the public and should strive to preserve the State's reputation. In addition, certain types of off-duty conduct may reflect poorly upon an employee's character and judgment and thereby influence his or her standing as a state employee. Therefore, employees who engage in unprofessional or criminal conduct or other serious misconduct off-duty may be subject to disciplinary action, including dismissal from employment, if such conduct is determined to be harmful to the State's image, inconsistent with expectations of our employees, or otherwise adversely affects legitimate governmental interests.

#### PERSONAL INFORMATION CHANGES

If you change your name, address, or telephone number; or if your marital status, number of dependents or emergency information changes, report the change to your personnel office and payroll department. Promptly reporting these changes will ensure that your

personnel record is in order. It is your responsibility to be sure your records are current to prevent delays in processing tax changes or loss of benefits opportunities.

# PERSONNEL RECORDS

Disclosure of social security numbers by state agencies is governed by IC 4-1-10-1, et seq.

The following information about state employees is considered a matter of public record subject to disclosure pursuant to the Access to Public Records Act: (1) The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency; (2) Information related to the status of any formal charges against the employee; and (3) Information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged.

All personnel information shall be made available to the affected employee or his/her representative. Other personnel information generally on all employees or groups of employees not particularized by name may be disclosed.

### POLITICAL ACTIVITY

State employees who seek an active part in the election process, through campaigning and candidacy for office, should become familiar with the laws and regulations for the state as well as the federal government. For example, the guidelines for Indiana ethics laws state that (1) you may not use state materials, funds, property, personnel, or equipment for political campaign activity; and (2) as a state employee, you may not be forced to contribute time or money for political purposes.

The State Ethics Commission is available to answer many of your questions and, in doing so, guide you in understanding what political activity is permitted of state employees in the executive branch of state government.

The State Ethics Commission may be reached via telephone at (317) 232-3850, or you may fax a message at (317) 232-0707. www.in.gov/ethics

# PUBLIC ADMINISTRATION, OFFENSES AGAINST

There are some crimes that can only be committed by or with public employees: Bribery, Conflict of Interest, Official Misconduct, and Ghost Employment. State employees committing any actions prohibited by these statutes <a href="IC 35-44-1">IC 35-44-2</a> will be subject to disciplinary action, including dismissal, and may be subject to prosecution.

# **PUBLIC RECORDS**

Information regarding the affairs of government and the official acts of those who represent them is open to the public. The following public records, however, may not be disclosed by a public agency unless access is specifically required by a state or federal statute or court order. Such information includes, but is not limited to:

- 1. Those declared confidential by state statute.
- 2. Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.
- 3. Those required to be kept confidential by federal law.
- 4. Those declared confidential by or under rules adopted by the Indiana Supreme Court.

Employees who receive public information requests must immediately submit those requests to the Agency's Public Information Officer to ensure that time limits are met and appropriate responses are provided.

Public records, in all forms and media, must be retained in accordance with the Records Retention Schedules established by agencies and maintained by the Commission on Public Records.

All e-mails sent or received on government computers and other devices are owned by the State of Indiana and may be public records as defined by the Access to Public Records Act. (See IC 5-14-3-2). E-mails are not treated differently than any other records; it is the substance (i.e. content) of the e-mail that is the determining factor establishing the document's retention or destruction. The State's retention schedules are available at http://www.state.in.us/icpr/3659.htm

# E-mails can be categorized within three broad categories:

- "Transitory" and duplicate messages, including copies of e-mails sent to several persons, as well as casual routine or personal communications.
- Public records with a less than permanent retention period.
- Public records with a permanent or archival retention period.

# Retention guidelines for each of these categories are as follows:

- "Transitory" and Duplicate Messages These are not required to be retained and may be deleted.
- Less than Permanent Follow retention period for equivalent hard copy records as specified in a retention schedule. The record must be in hard copy or electronic format which can be retrieved and interpreted for the legal retention period. When there is a doubt about the ability to retrieve an electronic record over the retention period of that record, the record may be printed out. Agencies may delete or destroy such records only after receiving signed approval from the Commission on Public Records via the "Records Destruction Notification" State Form 00016.

• Permanent or Archival - Retention may be in the form of a hard-copy printout or microfilm that meets the requirements of 60 IAC 2. The information must be eyereadable without interpretation. Questions concerning microfilm should be addressed to the Commission on Public Records, Micrographics Division at (317) 232-3381.

# **REFERENCES**

All requests for an employment reference must be directed to the human resources office of your agency. No manager, supervisor, or other employee is permitted to provide a reference for current or former employees without prior authorization from the human resources office.

# RESIGNATIONS

If you decide to leave state employment, a minimum of two (2) weeks advance written notice must be given in order to leave in good standing. Employees are expected to work each assigned day during that two (2) week period. Furthermore, use of paid leave cannot be granted beyond the last day the employee is physically present at work. Leaving in good standing entitles you to consideration for future reemployment or rehire. You should route your letter of resignation through your supervisor to the agency's human resources representative. A transfer from one state agency to another need not involve a break in state service if both agencies are subject to the jurisdiction of the State Personnel Department, and the employee provides appropriate notice to his/her current agency to allow the two agencies to coordinate the transfer.

#### **SAFETY and ACCIDENTS**

Safety is each employee's responsibility. The State's goal is to provide a safe and healthy work environment for all employees. This effort is intended to minimize the risk of a work-related injury and/or illness and the resulting human suffering and economic loss. Many accidents can be prevented if you use care and caution in the performance of your job.

If you observe an unsafe act or condition, report it immediately to your supervisor. If safety equipment is provided for the performance of your duties, use it. Always use the safety equipment required or provided for state-owned vehicles. Failure to use designated equipment may result in disciplinary action.

If you are injured while at work, notify your supervisor immediately and no later than within 24 hours of the occurrence. State employees are subject to Indiana Workers' Compensation provisions. If you need medical care after a work injury, your agency and the State's Workers' Compensation administrator will direct your care.

# STATE TRAVEL

State-owned vehicles may be available for your use while traveling on state business. Employees driving state-owned vehicles must possess a valid Indiana driver's license. Vehicle availability is primarily based upon your agency's approval and the capacity of the Indiana State Motor Pool. The motor pool operates on a first-come first-served basis.

See the Indiana Department of Administration's <u>Fleet Service and Policy Manual</u> and <u>the Indiana State Motor Pool</u> for additional requirements and information.

Since some agencies have their own motor pool, your supervisor will provide you with the information you will need if you must travel on state business. If you wish to use your own car for official business, you must receive authorization from your agency's approving authority.

Specific <u>guidelines</u> have been established for reimbursing you for expenses incurred. See your supervisor for detailed information on travel reimbursement procedures for your agency.

# TELEPHONE DIRECTORY

<u>The State of Indiana Telephone Directory</u> is available online. The State Information Center (IDOA) is available to assist you; just dial zero (0).

#### TELEPHONE USE

Your supervisor will advise you of any specific procedures for handling both incoming and outgoing telephone calls as well as information explaining how to operate the telephone equipment used within your agency.

# TRAINING and DEVELOPMENT

Indiana State Government is interested in your ability to successfully perform the duties of your job. Your supervisor/manager may provide or schedule training needed in conjunction with your performance plan or job duties. In addition to whatever training your agency offers, other agencies within Indiana State Government also present a variety of classes that assist employees in meeting their specific developmental needs.

The Indiana Office of Technology (IOT) offers Information Technology (IT) and Microsoft® Office Suite software training, and the State Personnel Department sponsors training on management leadership skills, personal development, and the State's personnel system. The State Personnel Department Training and Development Division also provides training consultation and customized training solutions for state agencies upon request.

Contact your agency's human resource representative, IOT Customer Service at (317) 234-HELP (4357), or the Training and Development Division of the State Personnel

Department at (317) 232-3282 for more information regarding available courses. Online information is also available at http://www.in.gov/spd/2366.htm and www.in.gov/iot.

# WEAPONS

No state employee is permitted to carry a handgun or other weapon while on official duty, unless authorized by the agency head.

This policy applies to all employees without exception. An official permit to carry a handgun does not nullify this policy. Any employee who violates this policy is subject to dismissal from state service.

If you feel endangered in the performance of your official duty, notify your supervisor immediately.

# **WORK HOURS**

In general, the following factors affect hours of work and compensation:

# Overtime Designation under the Fair Labor Standards Act (FLSA)

All employees are defined as either:

<u>Exempt</u>: Those employees who are employed in an executive, administrative, or professional capacity and who are not covered by the federal minimum wage and overtime compensation laws; or

<u>Non-exempt</u>: Those employees who are not employed in an executive, administrative, or professional capacity and who are covered by the federal minimum wage and overtime compensation laws.

Your human resources office can advise you the designation of your position. Additional information on overtime payments can be found in Financial Management Circulars issued by the State Budget Agency.

# **Operational Needs**

Operational needs will vary from agency to agency, function to function, and time to time. State agencies may require coverage twenty-four hours a day or only during usual business hours and there may be seasonal fluctuations or variations in workloads throughout the year based on the specific responsibilities of your agency. Changes may be made in your regular work hours, and you may be asked from time to time to work on special projects or to assist with other work necessary or important to the operation of your agency or the State. Your cooperation and assistance in performing such additional work is expected. The State reserves the right, at any time, with or without notice, to

alter or change work hours in accordance with statutes, rules and policies regarding compensation and classification.

Your work hours may vary depending on your agency, the agency's particular function, and your classification. Specific information, applicable to your position, is available from your supervisor.

# WORKING TEST and PERMANENT STATUS for MERIT EMPLOYEES\*

\*For a list of agencies with merit employees, click here.

Persons employed in merit positions undergo a working test period. The length of a working test period varies but is generally as follows:

- 1. Six (6) months for full-time employees;
- 2. One (1) year for part-time employees working 1/2 time or more and;
- 3. Eighteen (18) months for part-time employees working less than half-time.

At the end of the working test period, if your appointing authority believes you are suited for all aspects of your job, you will receive permanent status which entitles regular merit employees to due process prior to loss of salary or employment. If you do not successfully complete the working test, your working test period may be extended, you may be returned to a different classification in which you previously held permanent status, or you may be dismissed from employment.

#### **EMPLOYEE BENEFITS**

# **CREDIT UNIONS**

Employee credit unions are located within the Indiana Government Center (IGC) complex.

Funds may be deposited into the credit unions as well as other financial institutions that have been approved by the State Auditor's Office for the Payroll Deduction Plan. See additional information under DIRECT DEPOSIT. For more information, contact your human resources or payroll office.

#### **DENTAL INSURANCE**

As a full-time employee, you and your dependents may choose to participate in the State's dental plan. The plan is currently available at no cost to you or your dependents. See <a href="http://www.in.gov/spd/2337.htm">http://www.in.gov/spd/2337.htm</a> for plan details.

#### DIRECT DEPOSIT

Direct Deposit is a safe and convenient check handling system which automatically deposits your payroll check into your personal savings or checking account. The State of Indiana offers a Direct Deposit program with most financial institutions. Contact your payroll clerk for a list of approved financial institutions.

To set up your direct deposit: (1) obtain a Direct Deposit Authorization (State Form 43591), (2) complete your portion of the form, (3) attach a voided check or take the authorization form to your financial institution and obtain from them the necessary authorization information, and finally, (4) return the completed Direct Deposit Authorization form to your payroll clerk.

Direct deposits should go into effect for the pay date that the Auditor's Office receives the authorization form. On payday you will receive a check stub detailing all payroll information and indicating your check was directly deposited.

# DISABILITY, SHORT-TERM and LONG-TERM

The State maintains Short-term and Long-term Disability Benefit programs for full-time State employees with at least six (6) months of continuous State employment. No enrollment in this plan is necessary - a payroll deduction based on each employee's salary is started after six months of employment.

Once eligible, employees who become disabled from performing the duties of their positions must apply for Disability benefits and fulfill a thirty (30) consecutive calendar day waiting period away from work. Short-term disability benefits are paid at sixty percent (60%) of your base biweekly wage beginning the thirty-first (31st) day off work or the date you submit your application for benefits, whichever is later. Benefits cannot be paid for periods before the application is submitted. Short-term benefits are payable for up to five (5) months of disability.

If an eligible employee continues to be disabled after the elimination period and the Short-term Disability period is exhausted, he or she may receive Long-Term Disability at 50% or 40% of base biweekly salary, for a maximum of four (4) years from the date he or she first became eligible for LTD. The amount of payments and the exact duration of benefits depend on a number of factors that are explained in detail in the Indiana Administrative Code 31 IAC 3.

During an employee's entitlement to these Disability benefits, modified duty assignments may be made by the Plan, consistent with the employee's medical condition. Such assignments result in higher benefit payments. Employees who are receiving Short- or Long-term disability from these programs must report income they receive from other sources, and any other work in which they engage.

The State uses a third party administrator to process disability claims.

Finally, there are disability benefits available under the Workers' Compensation Act to State employees who suffer an injury or illness arising out of and in the course of their employment.

For more information about these programs or to make a claim for benefits, see your agency's human resources office or visit SPD's website under <u>Disability Forms</u>.

# EMPLOYEE ASSISTANCE SERVICES for YOU (EASY)

Employee Assistance Services for You (EASY) is a voluntary resource and referral program that is available at no cost to all state employees and their families. The program is designed to assist you and anyone in your household with counseling and in finding help, through the best available resources, for problems that result from personal crisis, financial difficulty, interpersonal relationships, substance abuse, and other causes.

The services provided through Employee Assistance Services for You are both confidential and professional. In order to receive help through EASY, contact the referral office at **1-800-223-7723** or AnthemEAP.com.

# **EMPLOYEE NEWSLETTERS**

*The Torch* is an employee newsletter published monthly by the State Personnel Department. *The Torch* informs you of benefits, services and events, as well as discounts available to state employees.

The Torch is distributed monthly to state employee worksites and is available online at <a href="http://www.in.gov/spd/torchweb.htm">http://www.in.gov/spd/torchweb.htm</a>. Any state employee may submit information for publication or suggest article ideas by submitting them via e-mail to: <a href="mailto:spdcommunications@spd.in.gov">spdcommunications@spd.in.gov</a>. Deadline for submissions is the 10<sup>th</sup> of the month prior to the next issue.

Around the Circle is an electronic newsletter distributed weekly to state employees who work in the metro Indianapolis area. Its focus is on items of interest to those who are on or near the downtown government campus and includes notices of upcoming local events, potential traffic problems and information that may impact state employees in the area. If you would like to be on the distribution list, send an e-mail with your request to spdcommunications@spd.in.gov.

### EMPLOYEE DISCOUNT PROGRAM

Many businesses across the State of Indiana offer discounts to state employees. These offers are publicized online at <a href="http://www.in.gov/spd/2439.htm">http://www.in.gov/spd/2439.htm</a>. Most of them require that you provide proof of your employment, either with your state employee badge or a recent paystub.

# EMPLOYEE SUGGESTION PROGRAM

State employees are encouraged to submit suggestions that are cost saving or improve the quality of state government to the State Employee Suggestion Program (SESP). Your ideas will be evaluated by the affected agency as well as the State Suggestion Committee.

Suggestions are constructive ideas that define a problem and propose a workable and reasonable solution. A suggestion must be an original idea. Once a suggestion is received, the State Suggestion Committee will determine what type of award will be offered and how much the award will be. Intangible suggestions are eligible for non-monetary awards.

All state agencies, with the exclusion of Family and Social Services Administration (FSSA), and their full-time employees are eligible to participate in SESP. FSSA has a separate suggestion program. Any suggestions from FSSA employees are forwarded to FSSA's Human Resources Director (HRD).

To submit your idea, obtain an official State Suggestion Form from the State Personnel Department at (317)234-1407; TTY (317) 232-4555 or visit our website at <a href="http://www.in.gov/spd/2437.htm">http://www.in.gov/spd/2437.htm</a> under "Employee Suggestions."

### ESCAPE RATES PROGRAM

Six (6) Indiana State Park Inns traditionally offer winter "escape rates" during the months of December, January, and February. Under the Escape Rates Program, room rates are generally half-price every day of the week. However, the half-price rates do not apply during the 2-week holiday season.

The Indiana State Park Inns participating in the program are:

Abe Martin Lodge, Nashville; Canyon Inn, Spencer; Clifty Inn, Madison; Turkey Run Inn, Marshall; Spring Mill Inn, Mitchell; and Potawatomi Inn, Angola.

Some of the inns have a minimum stay requirement.

The discounted rates apply to individual reservations only; however, you may rent up to three (3) rooms per night. Contact the inns directly for more information and watch The Torch newsletter in the fall for specific details. You may also contact the Division of State Parks at (317) 232-4140 for additional information. All the inns have TTY service accessibility.

# FAMILY MEDICAL LEAVE (FML)

As a state employee you may be eligible for family medical leave in conjunction with the birth or placement of your child, a serious health condition that prevents you from performing the essential functions of your position, the serious health condition or qualifying exigency based on a call to active National Guard or Reserve duty of your

spouse, child or parent, or serious injury/illness incurred by your spouse, child, parent or next of kin in the line of duty during active duty. The State of Indiana follows the eligibility requirements of the federal Family & Medical Leave Act of 1993. Therefore, as a state employee you become eligible for family medical leave after twelve months employment (consecutive or non-consecutive) in a state agency under the executive authority of the Governor AND completing 1250 hours of work in the twelve-month period immediately preceding the need for family-medical leave.

You should submit written notice at least 30 calendar days in advance of your intent to take such leave. In the event of an emergency incapacity, you must follow your agency's call-in procedures on each day of leave. In addition, you may be required within fifteen (15) days to provide certification of a birth, documentation of placement or a health care provider's statement which sets forth the medical facts, prognosis, and expected duration of your absence related to your or a family member's injury or illness. Family - Medical leave runs concurrently with accrued paid leave, the State's Short/Long Term Disability Plan and in some instances with Worker's Compensation and will be charged whenever applicable with or without a request from the employee.

Employees eligible for premium overtime must use earned compensatory time off concurrently with family-medical leave. All available accrued sick leave must be used *if* you are using FML for the serious health condition of yourself, or your spouse, child, or parent who resides in your household and is dependent upon you for care and support. If the spouse, child or parent for whom you are using FML does not reside in your household, then you may choose to use vacation or personal leave or take the FML as authorized leave without pay. If any portion of the family leave is unpaid you must pay the appropriate premium to maintain insurance coverage. See also section below: Military Family Leave. To obtain additional, detailed information and necessary forms, please contact your HR Representative, payroll clerk, or the Employee Relations Division of State Personnel at (317) 232-3080, or visit the State Personnel Department's website at: <a href="http://www.in.gov/spd/2397.htm">http://www.in.gov/spd/2397.htm</a>.

#### **FUNERAL LEAVE**

As a state employee you are eligible for leave with pay for attending the funeral of a relative or other member of your household. This should not exceed three (3) regularly scheduled consecutive working days and the days must be in conjunction with the date of the death or the funeral. Such leave may be granted upon the death of:

- (1) a spouse.
- (2) a father, mother, son, daughter, brother, sister, grandparent, grandchild, or the spouse of any of these.
- (3) persons listed in (2) above that are members of the spouse's family.
- (4) a person living in the same household with the employee.

#### GOVERNOR'S LONG-TERM EMPLOYEE RECEPTION

Since 1983, Indiana governors have recognized state employees who have 35 years of service with the State of Indiana. In 2005, the State Personnel Department realized there a number of employees with state service exceeding 35 years; therefore, we began to recognize employees with 35, 40, 45, 50... years of service. A ceremony is held in late summer recognizing these employees. Each honoree receives a special gift and an individual photograph with the governor.

# GOVERNOR'S PUBLIC SERVICE ACHIEVEMENT AWARDS

The Governor's Public Service Achievement Awards ceremony is an event which recognizes state employees who have gone above the call of duty to make Indiana state government more efficient and effective. Employees are nominated by their supervisor and can be recognized either individually or as a team. Individuals receive a \$1,000 check; team members share a \$5,000 award and all recipients receive a medallion and photograph with the governor. The ceremony is usually held during the first week of May in coordination with the national Public Service Recognition week. For a list of past honorees and their accomplishments, log onto <a href="http://www.in.gov/spd/2438.htm">http://www.in.gov/spd/2438.htm</a>.

#### **HEALTH BENEFITS**

Full-time employees are eligible to participate in the following types of benefit programs: Health, Health Savings Account, Dental, Vision, Basic Life, Supplemental Life, Dependent Life and Flexible Spending Accounts. Each plan offers family or single coverage.

The State currently offers two High Deductible Health Plans (HDHP) with Health Savings Accounts (HSA), one Traditional plan, and one regional HMO. Plan details are available on SPD's website at <a href="www.in.gov/spd/2337.htm">www.in.gov/spd/2337.htm</a>. It is important to note that the HDHPs and the Traditional plan are available statewide while the HMO is only available to employees that live or work in the Southwest region of the State. A complete list of participating counties is available on the website.

You have until the Monday following the pay period in which you were hired to enroll in State sponsored benefit plans. Once you have chosen your health insurer, that choice will remain in effect until the next open enrollment period, unless you or your family experience a qualifying event. If you experience a qualifying event, you have 30 days to report the event to the Benefits Division and provide documentation.

Available health insurance coverage is designed to provide you with quality care at a reasonable expense. Contributions are payable through payroll deductions.

If you leave state government, you will be notified of your rights under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) to continue coverage at your expense.

## **HOLIDAYS**

Indiana State Government observes 12 paid holidays each year. Prior to the start of each new year, the Governor designates the day of observance for each holiday. All full-time, part-time and hourly employees occupying permanent positions who are required to work on the date a holiday is observed may opt for compensatory time off on another date or receive payment for the holiday. Holiday pay is one-tenth of your base biweekly salary; overtime is not taken into account. Temporary and intermittent employees will not receive holiday pay nor compensatory time off; they will be paid for any hours actually worked on designated holidays.

# The 12 recognized holidays are:

New Year's Day
Martin Luther King, Jr. Day
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans' Day
Thanksgiving Day
Lincoln's Birthday
Washington's Birthday
Christmas Day

During election years, 2 additional holidays will be observed: the Primary Election in May and the General Election in November.

# HOOSIER S.T.A.R.T.: THE INDIANA PUBLIC EMPLOYEES DEFERRED COMPENSATION PLAN AND MATCHING PLAN

Hoosier S.T.A.R.T. is a voluntary IRS Section 457 plan and 401(a) matching plan which offers all state employees an effective way to reduce current taxes and to supplement other retirement benefits. This deduction is set-up as a positive enrollment for eligible employees. Eligible employees will receive a letter with their first pay check that briefly explains the plan and also explains how to 'opt out' of the plan. Available through payroll deduction, the plan permits participants to save up to 92% percent of gross biweekly earnings and to choose among a wide range of competitive investment options. Participants pay no federal, state, or local income taxes on their contributions to the deferred compensation plan until they separate from state employment and actually withdraw funds from their accounts. Regardless of age at separation, members may begin receiving payments immediately or elect to delay the start of benefits to a later date. Members may also withdraw their accounts in a lump sum or monthly payments over several years. There is no waiting period for eligibility. State employees may enroll at any time by contacting the Hoosier S.T.A.R.T. office in Indianapolis. For more information, call 877-728-6738, option 2, or just go to the Plan website at http://www.hoosierstart.com/ In order to encourage state employees to save for

retirement, the State matches the first \$15.00 employees defer to their 457 account each payroll period. Once an employee starts making the minimum deferral of \$15.00 per pay period, the State will begin making its \$15.00 matching contribution to your 401(a) account with your third payroll deduction.

# **JURY DUTY**

As a state employee you are eligible for leave without loss of pay for serving on a jury or as a witness in matters relating to employment with the State. Employees are paid their salaries less any amount received from the court, excluding expenses.

Unpaid leave is granted in instances where the employee is subpoenaed in nonjob-related matters. All leaves must be requested in writing and approved by the appointing authority within your agency.

# LACTATION SUPPORT

Employees shall have reasonable paid breaks which do not unduly disrupt agency operations and a private location in which to express breast milk for their infant child. Requests should be made to your supervisor.

#### LEAVE WITHOUT PAY

Authorized leave without pay is available to you as a state employee whenever such leave is deemed to be in the best interest of the State. The leave request should be submitted in writing and requires written approval by the approving authority within your agency and the State Personnel Director. Although you retain your job status, no pay or other benefits are received during this leave.

During a leave without pay, you may be eligible to continue your insurance coverage by paying the appropriate premium directly to the respective insurance agency. The insurance agency will notify you directly and explain the requirements for keeping your coverage in effect. For further details in advance of any anticipated leave without pay, contact your human resources representative.

#### LIFE INSURANCE

Basic Life, Supplemental Life, and Dependent Life

You may participate in <u>Basic Life Insurance Program from American United Life</u> <u>Insurance</u>, sponsored by the State. The value of your basic life coverage is based on your basic annual wage. A Supplemental Life Insurance Program for additional life coverage at varying amounts is also offered to state employees.

The State contributes toward the basic life insurance premium, and employees can purchase the supplemental insurance at a low group rate. If you participate in the

supplemental program you may also purchase coverage at various levels for your spouse and/or dependent children. Both programs are available through payroll deductions.

If you leave state government, you will receive information explaining how to convert your group life coverage to an individual policy. There is an accelerated life option available to covered employees and their spouses who become terminally ill.

# **MILITARY LEAVE**

Military leave without loss of pay is permitted for training or duty in the National Guard, Air National Guard, or a reserve component for up to a maximum of 15 working days in a calendar year. Military orders are required and leave charged in accordance with the orders. An employee who enters military service for active duty must be restored to his or her position or one of similar classification and salary upon completion of the military service consistent with federal veterans' re-employment rights. Employees on active military duty may be eligible for differential pay and continuation of family health care benefits. See <a href="http://www.in.gov/spd/2396.htm">http://www.in.gov/spd/2396.htm</a> for information on leaves related to military service.

# **MILITARY FAMILY LEAVE**

Eligible employees who are the spouse, parent, grandparent, or sibling of a member of the armed forces who is deployed for full-time military service on active duty orders for a period that exceeds eighty-nine (89) days will be permitted an unpaid leave of absence not to exceed ten (10) working days in a calendar year to spend with such active-duty family member. The Family-Medical Leave Act also provides leave for eligible employees whose spouse, child or parent is called to active duty and/or injured while on such active duty. See also the section above: Family Medical Leave (FML).

#### **PARKING**

All State of Indiana employees working in the Indiana Government Center complex are eligible to apply for parking privileges in one of the parking facilities maintained by the Department of Administration - Parking Services Office. Parking privileges are granted on the basis of space availability.

There are two garages, one major surface lot, and one overflow parking lot around the Indiana Government Center (IGC). To apply for parking privileges, contact your agency's parking coordinator.

Additional information about State parking procedures can be found on <u>IDOA Parking Services Website.</u>

If you are a state employee working at a location outside the IGC complex, your supervisor/manager will advise you of available parking facilities in your area.

# PREFERRED PARKING PROGRAM - INDIANA GOVERNMENT CENTER COMPLEX

# DO YOUR SHARE! SHARE A RIDE!

The State of Indiana is working with the Central Indiana Commuter Services, CICS, to encourage state employees working in central Indiana to carpool, vanpool, bicycle, ride transit or walk to work. Energy conservation, reduced traffic congestion and improved air quality are benefits of this program, another is reduced commuting expenses for employees.

To participate in this regional program, state employees first must register with the CICS at <a href="http://www.centralincommuter.net/">http://www.centralincommuter.net/</a> or via phone at 317-327-RIDE (7433) or toll-free at 888-737-RIDE (7433). By registering, participating employees also become eligible for emergency ride home benefits offered by CICS.

As an additional incentive, the Washington Street and Senate Avenue Garages near the Indiana Government Center have convenient, designated Preferred Carpool Parking spaces. Once carpool participants are confirmed via CICS, simply go to your designated garage office for a Preferred Carpool Parking Permit application form, which will need to be completed for each carpool participant before a Preferred Carpool Parking Permit will be issued. Carpools parking in the Washington Street or Senate Avenue Garages must have at least one (1) state employee. Additional riders, if any, do not have to be state employees.

Once the Preferred Carpool Parking permit is approved and obtained, carpools can park in the garages' designated Preferred Carpool Parking spaces on ACTIVE carpool days.

This Preferred Carpool Parking Program is designed to further encourage carpooling for employees working at or near the Indiana Government Center. For Preferred Carpool Parking Program questions, please contact IGC Parking Facilities at (317) 232-0233 or visit the Greening the Government Program at <a href="http://www.in.gov/idoa/3106.htm">http://www.in.gov/idoa/3106.htm</a> on the "Greening Initiatives" link.

## PAYROLL

All state employees are issued checks based on a two (2)-week period; however, not all employees are paid at the same time. Two payroll groups (Group A and Group B) have been established among the various agencies, and each group is paid every other week. Your supervisor will tell you which payroll group your agency belongs to and when you will receive your first payroll check.

Review the <u>State of Indiana Payroll Warrant Stub Description</u> for assistance in understanding the various payroll codes, calculations, deductions, and benefits that are detailed on your pay stub. Report any discrepancy to your agency's payroll department. Any additional questions or should be directed to the payroll section within your agency.

#### PERSONAL LEAVE

The State recognizes that there are times when employees have personal matters requiring attention during regular working hours. Consequently, you are provided with personal leave. This leave is earned at the rate of 7.5 hours for every four (4) months of full-time employment. Part-time employees working at least half-time earn 3.75 hours every four (4) months. You cannot accumulate more than 22.5 hours of personal leave. After accruing a total of 22.5 hours time, additional time is automatically credited to your sick leave balance.

An employee's request to use personal leave cannot be unreasonably denied. Contact your supervisor to learn the procedures for requesting personal leave.

#### RETIREMENT FUNDS

Two (2) retirement funds are available to full-time state employees:

# (1) INDIANA STATE TEACHERS' RETIREMENT FUND

Indiana State Teachers' Retirement Fund (TRF) was established to pay retirement benefits to teachers and administrators working in the public schools. With certain exceptions and additions, state employees who are certified to teach in Indiana and who work as teachers in a state agency or state institution are eligible for membership in TRF.

For more information on eligibility for TRF, please telephone (317) 232-3860.

# (2) PUBLIC EMPLOYEES' RETIREMENT FUND (PERF)

**PERF webpage** - www.in.gov/perf

An individual hired as a PERF-covered state employee becomes a fund member on the first day of employment. The PERF benefit has two (2) parts: an Annuity Savings Account (3% contributions and accumulated interest) and an employer-financed pension. All PERF-covered state employees have 3% of their gross wages (regular and overtime) contributed by their employer--the State of Indiana--to an individual Annuity Savings Account.

In addition, the State provides a pension for each employee who becomes eligible for retirement benefits. The pension amount is determined by the employee's:

Age at retirement
Years of creditable service
Average salary (based on the "5 highest groupings of 4 consecutive quarters")
Retirement option selected on the Application for Benefits

Members will become eligible for a normal retirement with a full pension if they are in one of the following three categories:

- 1. Age 65 and have 10 or more years of creditable service under PERF;
- 2. Age 60, and have 15 or more years of creditable service under PERF; or
- 3. Age 55 and your age at retirement plus your total years of service under PERF equals 85 or more.

Members qualify for early retirement with reduced benefits if they are between the ages of 50 and 59 and have 15 or more years of creditable service under PERF. By fulfilling the requirements for either normal or early retirement, the PERF member is entitled to receive a monthly benefit for life.

Members who become disabled while receiving pay in a PERF-covered position are eligible to apply for disability benefits under prescribed conditions. The PERF program also has benefit provisions for eligible survivors of PERF-covered employees.

For a detailed explanation of PERF retirement, disability, and survivor benefits, please request the PERF Member Handbook from:

Public Employees' Retirement Fund Harrison Building 143 West Market Street Indianapolis, IN 46204-2899

Members who have questions may telephone (317) 233-4162, or toll free 1-888-526-1687. The PERF TTY telephone number is (317) 233-4160. You may also email questions to: <a href="mailto:questions@perf.in.gov">questions@perf.in.gov</a>

## RETIREMENT MEDICAL BENEFIT ACCOUNTS

Information concerning the Retirement Medical Benefit Account plan, created by SEA 501, can be found at <a href="www.rmbap.in.gov">www.rmbap.in.gov</a>. This plan is a benefit to employees who retire after June 30, 2007, and are eligible for and have received a normal, unreduced or disability retirement benefit. All questions should be directed to the plan administrator, Key Benefit Administrators (KBA) by phone at (317) 284-7150 or (800) 558-5553 or by email at <a href="Flexpro@Keybenefit.com">Flexpro@Keybenefit.com</a>.

## RETIREE FLEXIBLE SPENDING PROGRAM

The Retiree Flexible Spending Program extends compensation to include accrued but unused and uncompensated vacation, sick, and/or personal leave in excess of two hundred twenty-five (225) hours of vacation leave. Leave is converted at a 20, 35 or 50% rate and is subject to a maximum of \$5,000.00. Calculation of benefits under this program will be based on leave hours available on the employee's retirement date. Please refer to 31 IAC 4 for clarification and as the controlling authority.

To qualify for this program, the individual must meet the established criteria for "eligible retiree":

- 1. has at least ten (10) years of creditable service with state agencies;
- 2. retires after June 30, 2000; and
- 3. has accrued but unused and uncompensated vacation, sick, or personal leave on the employee's retirement date.

The Retiree must choose how the funds are allocated. The choices are:

- 1. Early retiree medical insurance premiums (Must meet Early Retiree Insurance Program requirements)
- 2. Dependent care assistance account
- 3. Medical reimbursement account
- 4. Cash

NOTE: The provisions of this section are subject to any restrictions imposed by the Internal Revenue Service.

# **SICK LEAVE**

As a full-time state employee, you accrue 67.5 sick hours per year. You will receive credit for 7.5 hours every two (2) months, plus an additional 7.5 hours with each 7.5 hours personal leave you accrue. Employees working at least half-time will accrue at 1/2 the rate for full-time employment. This leave may be used for your own personal illness or injury, legal quarantine, or for an illness or injury in persons residing in your household who are dependent upon you for care and support and which necessitates your absence from work.

A physician's statement may be required from an employee requesting sick leave.

To view all of the current leave programs, visit the State Personnel Department's website at: <a href="https://www.in.gov/spd/2396.htm">www.in.gov/spd/2396.htm</a>

## STATE EMPLOYEE COMMUNITY CAMPAIGN

Held in the fall of the year, this statewide fundraising campaign is authorized by the governor's executive order. While the campaign is an annual event, new employees, regardless of when they join state employment, are immediately eligible for participation.

State employees can contribute to any not-for-profit organization that has a §501(c)(3) ruling from the federal Internal Revenue Service. You can choose to set up payroll deductions or make a one-time contribution to your selected charity(s). Information about the State Employee Community Campaign is available at <a href="https://www.insecc.org">www.insecc.org</a>.

# **TAXSAVER**

Taxsaver provides a tax break for employees who have a payroll deduction for medical and vision benefits and basic life coverage. Payroll deductions are removed from your salary before taxes are calculated. Therefore, taxes are calculated on the remaining reduced salary amount. Since the taxable salary is lower, taxes are lower. Lower taxes means higher take home pay.

Although most people benefit from Taxsaver, enrollment is not required for the health and life payroll deductions. There are instances in which you may want to consider not participating; these instances involve social security and the health tax credit. Therefore, in determining whether to opt-out of this program, you may want to seek tax advice. See your agency's payroll clerk for more information on the Taxsaver benefit program.

#### U.S. SAVINGS BONDS

As a state employee, you may sign up for payroll deductions toward the purchase of United States Savings Bonds. Available at half their face value, bonds may be purchased in denominations from \$100 to \$10,000.

## VACATION LEAVE

As a full-time state employee you accrue 7.5 hours of vacation for each month of continuous service. With the approval of your supervisor, you may begin to use these days after six months of continuous employment. If you leave state service in good standing after completing at least six months of employment, you will be paid for any unused vacation leave up to 225 hours unless you are retiring and choose to participate in the Retirement Medical Benefits Account program mentioned above. Participation in that program requires conversion of 225 hours of accrued but unused vacation leave into a monetary contribution on a pre-tax basis into the health reimbursement account, and eliminates payment of vacation leave.

Full-time employees normally earn vacation leave at the following rate per year:

1 to 4 years of full-time service 90 hours 5 to 9 years of full-time service 112.5 hours 10 to 19 years of full-time service 150 hours 20 or more years of full time service 187.5 hours

As a part-time employee working at least half-time, you accrue 3.75 hours vacation for each full month of continuous service. With the approval of your supervisor, you may begin to use these days after 12 months of continuous employment.

Employees working at least half-time but less than full-time earn vacation leave at the following rate per year:

1 to 9 years of employment 45 hours 10 to 19 years of employment 67.5 hours

# 20 to 39 years of employment 105 hours 40 or more years of employment 142.5 hours

# **VISION CARE**

Employees and their dependents may participate in the Employees' Group Vision Plan. The vision plan is a comprehensive program designed to assist you to pay for vision care services. Currently the plan is available at no cost for employees; however, the dependent care option must be paid for by employees through payroll contributions. See <a href="http://www.in.gov/spd/2337.htm">http://www.in.gov/spd/2337.htm</a> for plan details.

# **WORK LIFE**

The State of Indiana is committed to researching and providing flexible work options. The State of Indiana currently offers flexible work hours and opportunities for telework as well as Community Service Leave and Parental Absence for Child's Education. For more information on these programs, including whether you are eligible to participate, visit: <a href="http://www.in.gov/spd/2416.htm">http://www.in.gov/spd/2416.htm</a> and discuss options specifically available for your position with your supervisor and human resources representative.

# WORKER'S COMPENSATION

In accordance with Indiana's Worker's Compensation Act, the State provides comprehensive worker's compensation insurance at no cost to employees. This protection covers any work-related injury or illness that requires medical treatment. Worker's compensation coverage does not extend to benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the State.

Worker's compensation insurance generally provides limited benefits to eligible workers in the form of medical treatment, compensation for lost wages, and compensation for the loss or lost use of parts of the body. Benefits are generally available to employees after a short waiting period. If an employee dies in a workplace accident, the employee's dependents may become eligible to collect death benefits.

Employees who sustain work-related injuries or illnesses, no matter how minor, must inform their supervisor immediately. Failure to timely report such injury or illness may compromise an employee's eligibility for and ability to claim worker's compensation benefits. The State uses a third party administrator to process Worker's Compensation claims.

## **APPENDIX**

# MAP OF THE INDIANA GOVERNMENT CENTER (IGC) COMPLEX

Click here <u>IGC MAP</u> for a map of the Indiana Government Center complex. The broken-line drawings represent the tunnels between the various buildings that make up the IGC complex. These tunnels are accessed from the lower level of the various structures.

Getting around within the complex may be rather puzzling at first, but before long you'll look back and be amazed at how quickly you mastered the maze. Once again, we are happy to have you as an employee of Indiana State Government!

Additional maps and floor plans of the Government Center Complex can be found on IDOA's website under Maps & Floor Plans.

# USDOL NOTICE TO EMPLOYEES OF RIGHTS UNDER FMLA

For additional information: 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division WHD Publication 1420 Revised January 2009

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

#### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

#### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

#### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

# **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

#### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

# Acknowledgement

hereby	acknow	ledge	the	follov	wing:

- 1. I have reviewed the State of Indiana Employee Handbook.
- 2. I have received answers to any questions I asked.
- 3. I will abide by the provisions of the SOI Employee Handbook and the policies and procedures referenced in it.

Signature of Employee	Date	
Printed Name of Employee		